

**MINUTES OF REGULAR MEETING OF
THE REDEVELOPMENT COMMISSION OF GREENSBORO
TUESDAY, JANUARY 18, 2005**

The Redevelopment Commission of Greensboro met in in the Plaza Level Conference Room, , Melvin Municipal Building, on Tuesday, January 18, 2005 at 5:00 p.m. Commissioners present were: Chair Bill Benjamin, Joe Wood, Nettie Coad and Jerry Leimenstoll. Dan Curry, Barbara Harris and Dyan Arkin, represented the Housing and Community Development Department (HCD). Jim Blackwood, Esq., was present as legal counsel for the Commission.

Chair Benjamin called the meeting to order, introduced himself, and welcomed everyone to the meeting. He asked that anyone wishing to speak come up to the microphone, identify themselves, and give their address.

1. APPROVAL OF THE MINUTES OF DECEMBER 14, 2004.

Chair Benjamin called for approval of the minutes of December 14, 2004. He said Mr. Wood would abstain since he was not in attendance at that meeting.

Mr. Leimenstoll moved approval of the December 14, 2004 minutes as written, seconded by Ms. Coad. The Commission voted 3-0-1 in favor of the motion. (Ayes: Benjamin, Coad, Leimenstoll. Nays: None. Abstain: Wood.)

2. OLE ASHEBORO NEIGHBORHOOD:

A. MUSIK GARTEN PROPERTY.

Dan Curry with HCD said he would give the Commission a brief update on this item. He said everyone was quite familiar with the Musik Garten Property in the Ole Asheboro Neighborhood. In January of 2004, the Commission approved the Ole Asheboro Redevelopment Plan Amendment and as part of that Amendment, the Commission approved a Memorandum of Understanding, executed between the Redevelopment Commission and the Heyges, owners of property at 507 Arlington Street. Basically the Memorandum provided for a year's time for the Commission, the Neighborhood and the property owners to agree on a plan for a proposal by the Heyges to provide land for a natural area at the corner of Lee and Arlington Streets. Over the past year, there have been numerous conversations within the Neighborhood. They had one facilitator work session in December with the Neighborhood's Planning Advisory Committee and the property owners. At that time, the Neighborhood indicated that they were fully supportive of the proposal to develop an open space area on that corner.

Staff is currently doing property survey work to identify the boundaries for the natural area, as well as the specific boundaries for the Musik Garten business property and the amount of land that is going to be needed for construction of the Vance Street Extension. Once they have the site survey in hand, they will still have to do some preliminary civil engineering work to identify the specific footprint for the street. Staff is bringing to the Commission the recommendation from the Ole Asheboro Planning Advisory Committee, which is to support this proposal and is asking the Commission to consider a resolution to that affect. Staff has drafted a resolution. In

conversations with Counsel Blackwood over the last hour, he has indicated that he would like to make some changes to the resolution or the Commission could simply do a voice resolution.

Chair Benjamin asked if the Commission were to adopt the resolution, what would happen after that?

Mr. Curry said staff would move forward with the surveying and engineering work to establish specific property descriptions for the areas in question. The actual plan itself, according to Counsel Blackwood, would not need to be formally amended; that in effect, the Memorandum of Understanding that is already in place provides the range of uses that would include the park plan and natural area for the site in question.

Chair Benjamin said he wanted to understand one more thing. Assuming the Commission adopts a resolution, it then goes and is dedicated and there is acceptance.

Mr. Curry said there was no connection between the actual disposition of the Heyges' land and the Commission's action. The Redevelopment Commission really will have no legal role in the land transaction. That would be a transaction between the property owner, the Piedmont Land Conservancy and the City of Greensboro. The Redevelopment Commission would really not have a role in that transaction.

Counsel Blackwood said that was basically correct because if we go forward as proposed, the transfer or conveyance would be to the City for purposes of a park and it would not be to the Redevelopment Commission to transfer to the City. All the Commission would then be doing is further implementing that practical occurrence by then delineating the specifics and removing a portion of 507 as proposed for possible acquisition once that actually occurs.

Chair Benjamin said theoretically while we are talking about it, the other new Redevelopment Plan was adjacent to it. This does not impact that at this time.

Mr. Curry said that would be the South Elm Street Project, which is the other side of Arlington Street. The specific areas do not overlap, but they are adjacent to each other.

Chair Benjamin asked if the Vance Street connection is being done because of South Elm?

Mr. Curry said the Vance Street Extension is part of the Ole Asheboro Redevelopment Plan.

Mr. Wood asked staff to show the Commission on the map where the properties are where there needs to be some right-of-way, potentially, for Vance Street.

Mr. Curry pointed out the Musik Garten property and Vance Street, saying Vance Street is proposed to extend straight through the block and basically connect with Murray Street. The Memorandum of Understanding describes that street connection, as well as up to a 35-foot strip of land potentially being purchased by the Redevelopment Commission to accomplish the street and to have enough developable land on the west side of that section of Vance Street.

Mr. Wood said if they took the property out of the mix, there was no point in extending the street through there anymore.

Mr. Curry said they were not suggesting that the Commission make any change to the

acquisition list. The Musik Garten business piece of land itself is not on the acquisition list. The piece of land that is proposed as public open space is currently shown on the acquisition list. If it is transferred to the City, then that's implementing that piece of the plan anyway. So he did not know if there was any formal need to remove it from the acquisition list.

Mr. Wood asked what was the purpose of running the street through that area.

Mr. Curry said the street was providing developable land that the Commission already owns because it is splitting that block and allowing development on both sides.

Chair Benjamin said that was Lee Street and they have the old Salvation Army property, so you are basically allowing access that is around the interchange ramp.

Ms. Coad asked if the plan did not also call for the closing of the ramp.

Mr. Curry said that was a possibility. That's the actual plan showing the new street.

Chair Benjamin asked Counsel Blackwood if he wanted to talk to the Commission first in terms of the issues that he thought needed to be modified?

Counsel Blackwood said he thought at this point all the Commission needs to do is to pass a resolution to move forward with the Memorandum of Understanding as it relates to the proposed dedication and transfer of the Heyges' property shown on the exhibit for park land to be further delineated by survey and upon such transfers actually occurring, that the maps for the Amended Plan then be redrawn to reflect that occurrence. In other words, the language would be, "to move forward with the surveys and delineation of the specific portion of the land that is to be dedicated and upon actual preparation of such surveys and transfer of such described property and acceptance by the City of the park land, that the Commission then direct staff to amend the designated Map 1 and amend the site plan in Map 4 to reflect those final occurrences."

Chair Benjamin said he thought he understood what Counsel Blackwood just said. We have originally a Memorandum and what he is saying is what the memorandum contemplated. So that is what we are trying to put into place and it would require a revision to the land use for the Ole Asheboro Redevelopment Plan and the amended plan contained in there as a result. He asked Counsel Blackwood if that was pretty much what he had said?

Counsel Blackwood said, "and only after occurrence of the actual deeding of said property to the City and acceptance."

Chair Benjamin said this would be subject to the actual transfer to and acceptance by the City of Greensboro.

Mr. Wood said he would like for that particular concept that Chair Benjamin had just expressed to be moved for purposes of getting this on the floor so we can all talk about this. He moved that the concept that Chair Benjamin just forwarded be approved. Ms. Coad seconded the motion.

Chair Benjamin asked for discussion from the members of the Commission first.

Mr. Wood asked if staff sees any conflict in the resolution as they prepared it and the resolution

that that the Commission has just moved adoption of, the distillation of what our attorney and what our Chairman, another attorney, has put forth?

Mr. Curry said staff was comfortable with that language.

Chair Benjamin said he would open the item up for discussion. He did not think that this was going to be something that the Commission is not going to approve as presented. So in terms of what anyone would like to say, please keep that in mind.

Ms. Coad said she had some knowledge of this project and the ongoing efforts of the givers of the portion of land. It has caused her to recall land that had been given in the past that we presently enjoy all kinds of things on, buildings and parks, etc. Looking at the history of Greensboro, so much of it was bestowed through gifts. She just wanted people to know and reflect on how we get to have the comforts, beauty and landscaping because of the generosity if people such as the Heyges.

Lorna and Herman Heyge, 907 McDowell Drive, came forward to speak. Ms. Heyge said they were very pleased to be present tonight and she appreciated the words of Ms. Coad. They had spent a lot of time getting to know the neighborhood better. They were very grateful to Dorothy Brown, who is the head of the Ole Asheboro Neighborhood Association, and C.W. Broward and his role with this Committee. The neighborhood had been meeting in their facility and all parties had gotten to know each other a lot better. It was with interest that she reads in the newspaper frequently the kind of big time efforts we have on a City level for people of different races to get to know each other. She thought they reflect that very beautifully in Ole Asheboro as well as in their staff and interaction with the community. Last year the Committee voted to take their Musik Garten property, somewhat over an acre as delineated in the sketch that her husband provided, that they now are concretizing and that is off the acquisition list. The rest of their property is to be donated to the City with an easement by the Piedmont Land Conservancy and that a small portion, as Mr. Curry has shared with us, will be needed by the City for Vance Street and possibly a small portion for housing.

Chair Benjamin said that is what they had been talking about. The use that has been proposed is consistent with the Plan as determined by the Neighborhood and by this Commission and by staff. Everybody has had a chance to look at it to see if it were compatible, does it work and that is what has occurred.

Ms. Heyge said they had a wonderful colleague here tonight with a very key part of this plan and that was Cathy Trainer from the Piedmont Land Conservancy who would like to share a few thoughts.

Cathy Treanor, 123 Beverly Place, said she was representing the Piedmont Land Conservancy. She presented a conceptual layout sketch. She said the landscape architect from City Parks & Rec has just started trying to bring together the partnership. She said the Conservancy works in nine counties and she really wished that they had such strong community support on all of their projects. This is a delightful one and it is going to be a wonderful amenity to the City. The property has a clean soil's bill of health. This can move forward and with Dorothy Brown's help, the community submitted a Neighborhood Small Grant application. For \$25,000, they could have this park ready to be opened to the community. They have D.H. Griffin doing the concrete and fence removal for free. The man took six minutes to come to a decision to do it for free.

Chair Benjamin asked if the street right-of-way had been removed from this drawing?

Ms. Treanor said no; they can't delineate it until the City Council has re-deeded it. There has been a setback of approximately 15 feet on the drawing and the drawing is just conceptual to show the kinds of things that the community really expressed an interest in having in the park. They are delighted with the partnership with the Neighborhood, the Heyges and Parks & Recreation, a good one.

Ms. Heyge named the various organizations and departments with which they had worked and thanked all of their supporters for coming to let the Commission know that they, like you, look forward to green space. She said the exciting thing is that one of the seeming hurdles along the way was the financial situation of Parks & Rec; would they have the funds to develop this piece of property into a park. But with the gift of the land, the gift of removal of the cement by D.H. Griffin, and in Dorothy Brown's Neighborhood Proposal, they have some labor to help plant. She was sure her employees, who were all present, would join that team. So we can get a park pretty fast. She was excited about it. They will be across the street from the Brownfield development and give those good office workers a place to go and have lunch.

Chair Benjamin said there was a motion on the floor. The Commission voted 4-0 in favor of the motion. (Ayes: Benjamin, Wood, Coad, Leimenstoll. Nays: None.)

Dorothy Brown, 603 Julian Street, said as president of the Neighborhood Association and member of the Committee, she wanted to thank the Commission. She wanted to wait until after the vote to be sure they did what they said they were going to do. Now she could say: "Thank you."

B. 326 AND 328 EAST LEE STREET.

Chair Benjamin said he would have to abstain from discussing or voting on this item because he had a compatriot in his office that is going to represent the other side. He had just learned of this.

Ms. Harris said 326 and 328 East Lee Street are on the acquisition list in the Ole Asheboro Redevelopment Plan. At the time the Plan was drafted, 328 East Lee was owned by Clarence Defreitas. On the date that the public hearing was held for Plan adoption before City Council, Mr. Defreitas spoke at the public hearing and informed Council that he had that day purchased 328 also and was interested in developing both of those properties himself in conjunction with the Redevelopment Plan. Council advised that he could work along with staff to come up with acceptable redevelopment plans. Staff contacted Mr. Defreitas in October and asked him to come in to talk about his plans. He came in, talked to staff about what he was proposing to do with the property, and during that conversation agreed that the City could go ahead and obtain appraisals for the property so he would be aware of what values might be offered. Staff had the appraisals done and then met with Ms. Defreitas in early January and provided her with copies of the appraisal reports. Staff simply wanted to provide the Commission with an update on communications with the Defreitas. At the time that they came in and talked about having the appraisal work done, staff explained to them that the letter they would receive might contain some language that they found offensive because staff was aware that they did not want to have their property taken. Because the property is on the acquisition list, staff was required to send them the standard notification, which staff did. In response to that, she thought Mr.

Defreitas got the idea that staff was moving forward with condemnation or something along those lines and responded with the letter that the Commissioners have before them.

Ms. Harris said that 328 East Lee Street, which is a vacant lot, appraised at \$10,500. She said staff was not here for acquisition; they were simply here for the update and she was just sharing with the Commission the appraised value. The house at 326 East Lee Street appraised at \$44,000. The Defreitases had been provided with copies of the appraisals.

Mr. Curry said, just to wrap up the staff presentation on this item, which is just an update, staff was going to continue and try to work with the property owners to see if they can arrive at a mutually agreeable plan for the rehabilitation of the house on this property. The house is substantially deteriorated at this point, but it does appear that they have started to do some work on the property. What staff will be asking of them is to provide a plan for the rehabilitation of the house, along with their proposed financing of that project, so that staff could make a determination as to whether staff can move forward in working with them to maintain ownership and rehab the house. Staff will have to work with them on the vacant lot because again this is a situation where they have a street extension in the plan that is proposed to cross a portion of that vacant lot. So at this point, staff is looking for a rehab plan from the owners that staff can evaluate and work with them and still allow staff to accomplish the objectives in the Neighborhood Plan. Staff is still willing and ready to work with them to see if that can be done.

Mr. Leimenstoll asked if staff's perception of development of this site with the existing site on it is to remodel that house, restore that house, and upgrade that house?

Mr. Curry said what the Defreitases talked with staff about was rehabilitation of the house, but no specific plans have been presented.

Chair Benjamin asked Mr. Curry to show the Commission on the map about the road you are talking about?

Mr. Curry pointed out on the Plan a street extension and the first building to the west of that street extension, which is the Defreitases' house. He said it really lines up with McAdoo Street, which was in Southside and lines up with the parking drive that is in front of the Nettie Coad Apartments under a redone scheme for the apartment building. Here again, staff would be doing some preliminary civil engineering work to try and pinpoint both of these street locations and how the adjoining property can work.

Chair Benjamin said the street right-of-way was in a line with the street across the street; right?

Mr. Curry said there was discussion about trying to tie it in with McAdoo Street, but that was actually not going to occur. The developer of Southside is going to be building along this frontage so it does not look like the street is going to connect through. So there may, in fact, be some flexibility in this block in terms of where that street goes. That was what staff needed to work through.

Lisa Johnson Tonkins, Esq., 101 West Friendly, Suite 500, represented the Defreitases. She said she thought it was correct that Mr. and Ms. Defreitas did have an understanding that their property was trying to be acquired today. One of their main concerns is that they don't have a plan or they haven't talked to the Commission about what they need to include in their plans that will be appropriate or meet the Commission's expectations. It was her understand that when

they met with City Council on April 6, 2004 that the Council did recommend or suggest that they have the opportunity to develop their property and to work with the Commission on that development. They indicated to her that that has not occurred; that they have not been able to really sit down and speak with anyone about developing a plan or what is expected of them to rehabilitate their home. Before they can start to rehabilitate, they need to know what the expectations are so that they can try to work towards that goal. They were here today to make sure that they understand what they need to do so they can get the house up to where it needs to be for the Redevelopment Plan.

Mr. Curry said staff would be glad have another meeting to provide clear information in terms of what staff needs in order to evaluate their proposal. Staff indicated back on November 2, 2004 that they did want to get a rehabilitation plan to look at, but staff can be more specific. Staff has some plans so they could provide some examples of the kind of information they are looking for.

Ms. Tonkins said the other concern of the Defreitases was the appraisal that they did receive. She thought in April, they were under the understanding that they would have the opportunity to try to rehabilitate their home and in May they started to make preparations to repair and upfit. So they gutted out the home and they have been doing some things to the house since May of 2004. When the appraisal came in, the appraiser appraised the home at a value substantially less than what they had paid for it. The appraisal does indicate that they did gut out the home and they were just a little concerned because they thought when they came here today the Commission was going to try and make a proposal for them to sell their house at the amount of the appraisal. She just wanted to bring that to the Commission's attention, that they are making arrangements to try to make sure that they do rehabilitate the home. She confirmed that the property was vacant at this time.

Mr. Leimenstoll asked, based on the development of the plan in this area, do we really know what kind of expectations we have for this property?

Mr. Curry said if you look at the conceptual Plan, it appears to show some smaller residential units along that Lee Street frontage, so from that perspective, staff thinks a rehabilitated house on this property would fit the Plan. Staff does not know what a private developer might come in and propose if they put this block out for a development proposal because that is a conceptual Plan.

Mr. Leimenstoll asked Ms. Tonkins how urgent was her clients' need to develop this property?

Ms. Tonkins said they were trying to do it on the time frame that the Commission set. She didn't know that they had a real urgency to upfit it. They plan to move into the home once they get it remodeled.

Counsel Blackwood said if he could speak briefly, he did think that there should be some resolution because it is clear from also what he had seen of the minutes of when the City Council approved the Amended Plan for Ole Asheboro that this property was discussed. And it was specifically brought out that the owners were aware that this property was on the acquisition list and they were advised that the Commission could purchase it, but that it was further suggested they meet with City staff and discuss what should be done. So what you have here is a situation where the property is on the acquisition list and he did not want to mislead the homeowner in any way to his detriment in performing any rehabilitation or renovations, and for him to go ahead and do that and then the Commission to determine that we still want to

acquire the property. He thought that was important.

Ms. Coad said she thought that was what Mr. Defreitas' letter spoke to and they want the same opportunity that the Heyges had in determining how to utilize their own property because they own it. She just wanted to know that they have the means for rehabilitating their property so they can move into it. Also she would like to know if the Defreitases were aware of the Redevelopment Plan. In the very beginning when the Plan was drawn, were the Defreitases, as property owners, made aware in any way that the property they owned was on the acquisition list.

Clarence Defreitas, 3406 Canterbury Street, said he didn't know anything about the City's interest in the property until he purchased the land. He purchased one property about eight years. Nobody sent him a letter. They bought the land and bought the other house because it would give them a little more room to improve the house because of the driveway. He bought the second property on April 6, 2004.

Ms. Harris pointed out that that was the same day that the public hearing was held to adopt the Plan before City Council. She believed Mr. Defreitas was notified of the public hearing through a letter from their office dated March 29th.

Ms. Coad asked if the letter stated that his property was in the Plan in question?

Ms. Harris responded, "Yes."

Mr. Defreitas said before that, he was not notified of anything about the land at 328. He was always out of it. As a matter of fact, tonight was the first time he knew they had a Commission. At no time was he notified that they have a Commission like this. Nobody had said anything about it in the past.

Ms. Harris said that Council's April 6 public hearing minutes indicate that the City Attorney explained to Mr. Defreitas that the property could be acquired by the Redevelopment Commission.

Ms. Tonkins said she thought what Mr. Defreitas is saying is that before that time, before your letter dated March 29th, he didn't have any knowledge that this was even going to occur. And it wasn't until the public hearing he got some understanding that his house could be acquired by the Redevelopment Commission, if they so chose.

Ms. Coad said at this point, what she heard Mr. Curry say is that staff was willing to come back and negotiate with the Defreitases to be sure you have the resources for rehabilitation and that it would fit in with the Plan.

Mr. Defreitas said they were waiting now to see what plans the City wanted them to do with the house. He said if he could be shown what they wanted the house to look like and they will get it the way they wanted it to look. That is where they stand.

Chair Benjamin said Mr. Curry with City staff would give them some samples and some guidelines to help produce something that would come back to City staff. If they were comfortable with that and there is no other timetable issues, then it seemed to him what the Commission needed to do was just do that and let the Defreitases get together with City staff.

Mr. Defreitas said all he would like to do is have a period of time and then maybe he could be here because he worked six days a week so it was very hard for him to get here. If they would give him an exact time, he would be here.

Ms. Coad said she was sure staff would be working closely with Mr. Defreitas in a manner that he could be proud of. Somehow these things happen. Staff did not want to treat the Heyges any different than they did the Defreitases, it was just that sometimes they do the tough stuff to get people's attention. They can't go in and tell you what to do with your property, but if they put it on the acquisition list because it has been deemed part of a project or plan, then the owner will respond. It seems like the wrong kind of process, but it does work sometimes even though it is a hardship. She believed they would be able to work with staff and that everything was going to come out for the betterment of you and community and the City.

Carl Brower, 907 Douglas, Chairman of the Neighborhood Committee for this Redevelopment Area, said he agreed with everything that had been said so far, but he thought what has been left out is a time schedule to get this accomplished, such as they had with the Heyges. They were working on this project to spur more interest in the neighborhood and to complete the whole Plan. He would like to see a timetable given for the Defreitases to get with the City staff, for the plans to come back with everything that is needed, so they can proceed with their plans. He didn't want this thing drawn out for more than two years or over. If a time frame is put on this they can have their information and know clearly what they have to present and how soon. Once it is approved, you have a certain time period for your development to occur. He would like them to follow that and set a time line here, if possible, for the information to come back to staff for approval.

Counsel Blackwood asked if he could make a suggestion. He said it appears from what has been said that staff has been in communication. He thought, if the Commission approves it, that staff should make certain that a meeting occurs and some grounds are laid out so it can be presented.

Chair Benjamin said he thought this should be made an agenda item for the next meeting for an update. He thought if everybody worked as a team to try to convey information and good communication it will cause things to happen and not let this matter get stagnant. By that time, he hoped some discussions might have taken place and the Commission could see what might be appropriate from there.

Mr. Curry said he could suggest 60 days as a reasonable time frame. He thought the information staff was going to be looking for and helping them develop would take longer than 30 days to produce.

Counsel Blackwood said he believed the intent was the idea that between now and the next meeting, that staff have a preliminary meeting with the Defreitases when you go over what specifically is going to be expected and also discuss a time schedule for accomplishing that. Then at the next meeting, the Commission could then agree that that is, in fact, the agreement with the owners that they are supposed to meet that time schedule. If those are met and satisfactorily plans are met and the obligations that they need to be able to do that, then the Commission would be willing to forego any acquisition. The other thing he wanted to make very clear was that if things are not resolved, that the Commission has the absolute authority to acquire this property. It was stated on the record by implication that the Commission could not.

He had no problems at all with the idea of satisfactory rehabilitation by the owners being accomplished, if it can be. But he did not want it left on the record that the Commission does not have any right to acquire this property.

Ms. Tonkins commented that one of the other concerns is the vacant lot. She did understand what she guessed was going to be a new addition to McAdoo Street, but she thought it was indicated that has changed. One of the problems they are having is that they bought the vacant lot because they needed more space because they wanted to do more with the house. In discussing with them when you meet with them within a 60-day or 30-day period, that is probably going to need to be discussed so they will know what they can do and what they cannot do with that property so they don't add anything onto the property and then come in and through eminent domain or some type of acquisition and take that portion. Then they would have expended some money that they didn't need to expend.

Chair Benjamin said he was not sure the Commission needed to memorialize it any more than what they had done. He asked if that were satisfactory, or did they need a resolution?

Mr. Leimenstoll said there were two things unresolved in his mind. One is the question just raised. What he heard was the whole idea of the meeting was to work within the guidelines of what this thing needs to be developed as. And the other one is not to disavow what apparently is a fact, that this is part of a Redevelopment Plan that the Commission has responsibility for and the capability to assume control over this property.

Counsel Blackwood said that was just a statement made. He was not asking that they need to respond to it. He just simply wanted to respond to it, about the fact that from the standpoint that he was counsel to the Commission, he wanted to be clear that they understand we have the authority to proceed and we have done what was appropriate. The City Council minutes reflect that the owner was aware of the plans for redevelopment prior to the purchase of the property. He said he was reading off the minutes of the City Council meeting, which is not part of the letter.

Chair Benjamin said that wherever they were 30 days from now or whenever the Commission's next meeting is, the Commission would come back and basically get a report, which would say what things had taken place and would theoretically include any kind of a proposal for what would take place going forward. And hopefully with meeting, the Defreitases would get information to help them understand what the target might be for any kind of a rehab on that property. Also he thought it was going to be important to try and figure out about the street location to see if that impacts the Defreitases' decision on what they do with the property. He did not know if that timetable would work out for the street, but he thought that was something that Mr. Curry and Ms. Harris can cover with the Defreitases and get under control.

Chair Benjamin said he would have to leave the meeting in about 15 minutes, so he just wanted to warn everyone.

C. REQUEST FOR CONDEMNATION AUTHORIZATION: 519 ARLINGTON STREET.

Ms. Harris said this item is a request for condemnation authorization for 519 Arlington Street. At the October 19, 2004 meeting, the Commission authorized staff to make an offer of \$13,000,

which was the appraised value for the property. Staff sent an offer letter on October 20, 2004. Through that offer letter, staff determined that the owner of record was deceased and the owner of record's spouse had taken title to the property. She sent the new owner a letter on November 15, 2004 repeating the offer. He came in and met with her. After his visit, she sent him a letter on November 29, 2004 asking that he provide the appraisal he said he would like to have and to provide it by January 7, 2005. She gave him some time in addition to what staff normally gives because of the holidays. He expressed to her when he was here that he spent the winters in Florida and she wanted to make the Commission aware of that, but he told her he was represented by legal counsel. So she sent him letters notifying him of this meeting and of staff's request for condemnation authorization. He had not contacted staff verbally or in any other way. He did not advise her who his legal counsel was.

Mr. Wood moved that the Commission authorize condemnation of 519 Arlington Street and that all procedures relating to depositing the appraised value of \$13,000 be put into escrow and procedures move forward. Mr. Leimenstoll seconded the motion.

Counsel Blackwood said the process for condemnation was first to send out a 30-day letter. Then when the Petition to Acquire was filed was when the deposit is made. The motion would start the whole process, starting with the 30-day letter. So based on that scenario, we would normally have another regularly scheduled monthly meeting before any filing occurred.

Chair Benjamin said it had been moved and seconded that the Commission proceed with the condemnation of 519 Arlington Street for the appraised value of \$13,000 and take the necessary steps to condemn the property. The Commission voted 4-0 in favor of the motion. (Ayes: Benjamin, Wood, Coad, Leimenstoll. Nays: None.)

Counsel Blackwood said one item he would suggest being taken care before Chair Benjamin left the meeting was the election of officers.

4. ANNUAL ELECTION OF REDEVELOPMENT COMMISSION OFFICERS.

Mr. Leimenstoll said he saw no reason why they should not continue to have the officers as we have them now.

Mr. Wood indicated that he would like to be Chairman this next year before he left the Commission

Chair Benjamin said he would be happy with that. Maybe they could just rotate positions and he would serve as Vice Chairman in the absence of Mr. Wood.

Mr. Curry said as far as the staff Assistant Secretary positions, they would recommend Andy Scott, Barbara Harris and himself as Assistant Secretaries.

Counsel Blackwood asked if it would be appropriate to keep Caroline Wells. He knew she was back and in a different position, but was it appropriate to totally remove her? The Bylaws of the Commission provide that the Commission can designate any and all employees of the City staff as an Assistant Secretary.

Chair Benjamin said he felt it would be appropriate to put Dyan Arkin on as an Assistant

Secretary. If all three of them go to a meeting and they are not available, it was really a convenience thing so it would not be a hassle tracking down an Assistant Secretary.

Mr. Wood asked if there were an attendance requirement for the Commissioners?

Ms. Harris said attendance requirements are that Commissioners not miss three successive meetings or all the meetings held in a 90-day period.

In response to his request, Ms. Harris said she would e-mail Mr. Wood the attendance record of Mr. Lilly for the past 12 months.

Chair Benjamin said the Commission did not have the authority to replace Mr. Lilly; they could chastise him, but they cannot replace him. If he is not going to be active with the Commission, there will be times when they do not have a quorum if they aren't careful to have the full contingent of five Commissioners.

Counsel Blackwood said it was the Commissioners choice of officers. The office of treasurer has become strictly nominal since the mid 1980s when the budget was incorporated into the City's.

Mr. Leimenstoll moved the officers slate be Joe Wood as Chairman, Bill Benjamin as Vice Chairman, Nettie Coad as Secretary, Scott Lilly in his same position, he (Jerry Leimenstoll) in the same position and Barbara Harris, Dan Curry, Andy Scott and Dyan Arkin as Assistant Secretaries. Ms. Coad seconded the motion. The Commission voted 4-0 in favor of the motion. (Ayes: Benjamin, Wood, Coad, Leimenstoll. Nays: None.)

Chair Benjamin said he would pass the gavel to Joe Wood and let him take over from this point forward.

Ms. Coad said Mr. Lilly brings so much to this process and she would like to know if he could continue.

Mr. Curry said staff could inquire and bring that message back at the next meeting. Past that point, it would be up to the rest of the Commissioners to talk to your Council representatives.

3. WARNERSVILLE NEIGHBORHOOD. APPROVAL OF BUILDING PLANS - 601 FLORIDA STREET.

Mr. Curry said they now have an item from some time ago. The old Warnersville I Urban Renewal Project had an item come back up regarding a piece of property at the corner of Randleman Road and Florida Street. It is a vacant lot that was never developed. It has been owned by Lavern Allen, Jr., and his wife, Cecelia Allen since the 1980s.

Mr. Benjamin asked why was it within the Commission's domain?

Mr. Curry said that was because you are the group that staff always comes to for interpreting Redevelopment Plans and approving construction plans within Urban Renewal Areas and that is what this is all about. It is a set of construction plans that need to be reviewed and either approved or not approved. The lot was never developed. Now Mr. and Ms. Allen have an

agreement to sell it to somebody who wants to develop it. It appears from the plans that they want to build a duplex on the property. Staff has reviewed the restrictive covenants and the old standards that were in the Warnersville Project Plan and it would appear that what is being proposed meets all of the minimum standards, and they are very minimum standards for development of this lot as a duplex. It does not require that the owner occupy it. It looks like it is probably going to be a rental project. All it basically requires is a few standards in terms of plot area and setbacks, which it does appear to meet. The only thing he could find anywhere in the standards that looked like it wasn't included on the plan was the requirement for some storage space outside of the main body of the house. It does not appear that they have incorporated any exterior storage, but for a rental unit that's usually not something that you provide to a tenant. So he was not sure that was a big enough issue to even worry about at this point.

Chair Wood said this was the last house, but it looked like there was a little storage building behind every one of the other houses.

Mr. Curry said the potential purchaser is looking for some assurance that if he builds what he is proposing to build, that he can get a Certificate of Completion for those improvements. Staff felt like having the Commission review it was the best security and actually approve what is being proposed was as good a security as we could to him for that. He said technically with contracts with the City, the City would probably to sign the Certificate of Completion.

Counsel Blackwood said the City would sign, if that were in the Amended Agreement.

Mr. Benjamin said he didn't think the Commission was involved.

Counsel Blackwood said yes, they were involved in approving the plans because we own the property; we platted it and sold it, subject to our restrictions, which included approval of plans. The thing that he did not see that was confusing to him was: did they provide a stock plan showing that it meets those requirements like the square footage?

Mr. Curry said they did not have the site plan. The basic siting requirements appear to be the same. The requirements would have to be met to get a building permit. There doesn't seem to be anything extraordinary about any of the siting requirements.

Counsel Blackwood said the restrictions called for the Commission to approve the building plans.

Mr. Benjamin said the only thing he saw was the Redevelopment Commission restrictions control pertaining to the property. It says that you are subject to something, but it doesn't say where you find it.

Chair Wood said he would like to move that the Commission approve this conditionally upon it being reviewed by Mr. Leimenstoll with his architectural expertise and make any further recommendations. Staff is going to have to look at this and make sure certain conditions are met in terms of the amount of square footage inside the lot and things like that.

Mr. Benjamin said that was for Building Inspections.

Chair Wood said he knew that, but the Commission still has to sign off on this and he would move that the Commission approve the site plan based on a final recommendation of approval

by Mr. Leimenstoll and give him the authority to sign off on the final approval.

Mr. Leimenstoll said Mr. Curry and staff had looked at it pretty carefully so far and he thought it was just a matter of pro forma situation and he would be happy to do that. He would like to look at the site plan with Mr. Curry.

Mr. Benjamin said in the deed it says: "This conveyance is made upon condition that the grantee will erect residential structure on site built equal to or superior to the existing neighborhood. The grantee, their heirs or assigns, prepare and submit plans of residential structures to the City of Greensboro Real Estate Property Management Department for size and exterior appearance prior to beginning construction on any or all lots." So he knew the Commission has something back there, but when he looked at this, it didn't seem like there was. We may be able to say: "A duplex?"

Counsel Blackwood said it was further in where it references it is subject to all the restrictions in Book 2177, page 733. That is where all the things come in about single-family, duplexes, plot plans and it says the Commission will approve it. He said he had to read through the whole thing too and that is why it relates back to the Commission.

Mr. Benjamin asked if that also had to have the City of Greensboro Real Estate and Property Management Department, whatever that is?

Counsel Blackwood said if you want to resolve it to the extent required and he didn't even know whether that was a correctly designated Department anymore.

Mr. Curry said they had a Real Estate Office. They can work with Mr. Leimenstoll to get comfortable with the Redevelopment provisions and then they can stop by the Real Estate Office and they could do the official sign-offs on it. That would be fine. He said he did not know if this was the only duplex in the neighborhood. He said it could not have access off of Randleman Road, but would have to have access off of Florida Street.

Mr. Benjamin seconded Chair Wood's motion.

Chair Wood said it had been moved and seconded that the Commission approve this, with the authority invested in Mr. Leimenstoll to give an architect's trained eye and look-see at this and let him have the power to do the final signoff if it meets his approval. The Commission voted 4-0 in favor of the motion. (Ayes: Wood, Benjamin, Coad, Leimenstoll. Nays: None.)

Mr. Benjamin left the meeting at 6:38 p.m.

2. OLE ASHEBORO NEIGHBORHOOD:

D. LOT DISPOSITION STRATEGY.

Mr. Curry said staff wanted to give the Commission a brief update and the Neighborhood Chair had already left the meeting. Staff has had several meetings with the Neighborhood Planning Committee in Ole Asheboro at which staff had begun talking with them about how the process would work to develop all the land in the Ole Asheboro Neighborhood. At the meeting last week, staff walked them through the proposed strategy, which is very similar to the way the Southside

Project was handled in terms of the Commission actually selling and entering into a contract with Greensboro Housing Development Partnership (GHDP) to take title to the land and then GHDP actually being the entity that sees development proposals and sells land to each parcel developer. The Committee is comfortable with that general approach. What staff really wanted to do today was just let the Commission know that generally the concept that staff is moving forward with, with the Commission's concurrence hopefully, is that GHDP would purchase the property from the Redevelopment Commission and then be the entity that actually solicits the development proposals. Staff and the Neighborhood Committee representatives are scheduled to meet with the GHDP Board next Monday.

Mr. Curry said there was probably in the neighborhood of 100 individual parcels of land when you total it all together that either the Commission or the City owns. Staff is also in the process of trying to get all the City land deeded to the Commission so that when the Commission sells this land, it will all be together.

Ms. Coad asked if the Committee had brought up or discussed some of the other properties that go on the acquisition list in the neighborhood? They were going along with the Plan, but they have a Committee that's not comprehensive in the neighborhood.

Chair Wood said for the upcoming year, he definitely didn't really have any real agenda or anything. But one thing he would like to say is that the group of five who are on the Commission now have been more proactive and staff has been proactive than with the last group that Mr. Benjamin and he originally served with. He wanted this to continue to see this group together because he thought Mr. Leimenstoll and Ms. Coad have been since they live in the community and have been more active, he thought it had been a great addition to make. With so many issues on the agenda involving Ole Asheboro today, he thought it would have been a great thing to have held our meeting at a location in Ole Asheboro. Everyone had heard him give the rant over the last four years that he feels real awkward about four white guys, which is the majority makeup on this Commission, making decisions that affect minority communities. He thought this Commission had a great record of being proactive, but he would like for there to be more of going into the communities so that possibly more residents from the community can be there and participate.

Chair Wood continued by giving some areas on which he would like to see more information brought to the Commission by staff, such as any problem areas or problem properties that have been simmering or something that may be coming up that the Commission needs to think about. He suggested that perhaps this could be done at the annual retreat.

Mr. Curry said there were a number of ways that staff might be able to respond to that. He suggested that staff think about it and give the Commission some suggestions. Staff now has to provide anticipated Council agenda items two months in advance, so it is not unheard of to try and keep their eyes open for anything that comes in. He said staff would think about that and bring back a couple of options on how they might respond. Unfortunately, one of the aspects of most of the real estate work is staff is dependent on appraisers and responses from other people and it is kind of hard to anticipate when an item might hit a particular agenda too far in advance. Also staff does expect next month to give the Commission a semiannual update of their neighborhood report. He said staff did want to get more information out to the Commission in terms of the status of these overall projects. Maybe within that document, they can highlight some upcoming issues as well.

Ms. Coad thanked Chair Wood and Mr. Curry for their comments. She would really like something in the same vein that Chair Wood was talking about. For instance, in a neighborhood like Ole Asheboro, where work has been going on over the past 25 years, what is staff's overall goal and timetable and do you have one? And if not, why not? Sitting here, she would like to be part of saying: A job well done or a job complete, but she didn't really know where that is in anybody's vision.

Chair Wood said he thought that was a large part of the concerns that Mr. Lilly had thrown at all of us over the last couple of years.

Mr. Curry said one other item. He said the Commission should be aware that the President's budget message is proposing significant cuts to the Federal Housing Programs, in particular the Community Development Block Grant Program. Since that program is a substantial funding source for our neighborhood development work, he thought the Commission should be aware of that. They will be discussing over the next month or so what kind of plan they will have to communicate the work they do to the right people and they will keep the Commission in that loop as best they can.

Mr. Leimenstoll moved that the meeting be adjourned, seconded by Ms. Coad. The Commission voted 3-0 in favor of the motion. (Ayes: Wood, Coad, Leimenstoll. Nays: None.)

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Dan Curry, Assistant Secretary
Greensboro Redevelopment Commission

DC/ts.ps